

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2007

Date filed: September 16, 2008

Name of company covered by this certification: Computer Network Technology Corporation

Form 499 Filer ID: 821992

Name of signatory: Tyler Wall

Title of signatory: Secretary

I, Tyler Wall, certify that I am an officer of the company named above, and acting as an agent of the company, that I have knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules (**see attached statement**).

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).

Signed

Tyler Wall

Certification of CPNI Filing  
September 16, 2008  
Attachment to Certification

## STATEMENT of COMPLIANCE WITH CPNI RULES

Computer Network Technology Corporation (CNTC), a subsidiary of Brocade Communications, provides storage and networking solutions to businesses around the world. CNTC applies its technology, products and expertise in open storage networking architecture and business continuity to help companies build end-to-end solutions for data storage. As an integral part of providing these services, CNTC provides private line (all over lease lines from other carriers) telecommunications services to its customers.

Any questions regarding this policy or any use of CPNI should be directed to:

Bob Fischer  
Computer Network Technologies Corporation  
91 Quail Hollow Court  
Suite 101  
Naperville, IL 60540  
(312)342-5959

Inquiries regarding any suspected violations by other carriers of the federal rules described in this policy should be directed to Bob Fischer as well.

Currently, CNTC only provides one category of telecommunications service to its enterprise customers. As permitted by the CPNI rules, CNTC may use CPNI (1) to bill and collect for services rendered; (2) to protect rights or property of CNTC, other users or other carriers from unlawful use; (3) to provide any inbound telemarketing or administrative services for the duration of a call; (4) to provide customer premises and protocol conversion; and (5) to provision inside wiring, maintenance and repair services.

CNTC has elected to utilize or provide CPNI only for purposes that are permissible without customer approval in accordance with 47 C.F.R. Sect. 64.2005. Accordingly, CNTC currently does not use CPNI in a manner that requires customer approval and is not required to implement a system by which the status of a customer's CPNI approval can be established prior to the use of CPNI. In the event CNTC changes its marketing efforts in a way that requires the approval of customers before using CPNI, CNTC will implement policies and procedures and train employees to ensure compliance with all relevant FCC rules, including opt-in or opt-out authorizations.

CNTC does not share, sell, lease and otherwise provide CPNI to any unrelated third parties for the purposes of marketing any services. Sharing, selling, leasing or otherwise providing CPNI to any unrelated third parties is strictly prohibited by CNTC. CNTC is aware of its obligation to report any breach in CPNI policy. Records pertaining to breaches will be kept for at least two years

CNTC tracks all instances where customers are contacted for marketing purposes and maintains records of all such contacts for at least one year. CNTC has established a supervisory review process to ensure any marketing campaigns are



consistent with the FCC's CPNI rules. This process includes a periodic review by a Regional Sales Manager of the marketing activities of applicable CNTC account representatives. Currently, CNTC does not use CPNI for any outbound marketing campaigns.

In order to prevent data broker or "pretexters" from illegally collecting CPNI information, CNTC will not release CPNI to customers during customer-initiated telephone contact except when the customer provides a password. If a customer does not provide a password, CNTC will either send it to an address of record or call the customer at the telephone of record. CNTC also requires mandatory password protection for online account access.

All CNTC employees who have access to CPNI are trained as to when they are and are not authorized to use CPNI. For instance, all CNTC employees are required to abide by the CNTC Code of Conduct, which requires employees to maintain the confidentiality of all information, including customer information, which is obtained as result of their employment by CNTC. Furthermore, employees are required to execute a Non-Disclosure Agreement which requires employees to maintain the confidentiality of all information obtained through their employment with CNTC. Employees who violate the CNTC Code of Conduct, Non-Disclosure Agreement or otherwise permit the unauthorized use or disclosure of CPNI will be subject to discipline, including possible termination.